

STATE OF MICHIGAN
COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff-Appellee,

v

PIERRE JEROME ROBINSON,

Defendant-Appellant.

UNPUBLISHED

April 11, 2006

No. 259547

Wayne Circuit Court

LC No. 00-008060-01

Before: Smolenski, P.J., and Owens and Donofrio

MEMORANDUM.

Defendant appeals by delayed leave granted from a sentence of two years' probation imposed on a plea-based conviction of receiving and concealing stolen property over \$20,000, MCL 750.535(2)(a). We affirm.

Defendant failed to appear for sentencing because he was arrested and incarcerated on other charges. Consequently, he was not sentenced until more than two years after his conviction. He contends that the delay deprived the trial court of jurisdiction to sentence him and the trial court erred in denying his motion to vacate his sentence. Regardless of the merits of defendant's contention, the issue is moot because defendant was discharged from probation before the motion was heard. Cf. *People v Hale*, 459 Mich 866; 584 NW2d 735 (1998). This Court will not decide a moot issue. *B P 7 v Bureau of State Lottery*, 231 Mich App 356, 359; 586 NW2d 117 (1998).

Affirmed.

/s/ Michael R. Smolenski

/s/ Donald S. Owens

/s/ Pat M. Donofrio